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ABSTRACT

This memo reports on the results of an investigation into the Commission on Civil Rights' 1984 School Desegregation Study based on an examination of the pertinent documents involved in the study, for which Unicon Research Corporation took over the contract in July, 1985. Gary Orfield, member of the project's advisory group, had charged that the study was too narrowly focused, ignoring the concern for the effects of desegregation on black and Hispanic children; however, it is pointed out that the shortcomings of the study to which Orfield pointed were due mainly to budget constraints and considerations for a manageable scope rather than a lack of concern. Preceding a historical review of the project are responses to Orfield's major accusations, point by point. Based on a careful examination of Orfield's charges and the facts gathered relating to these charges, it is concluded that Orfield made accusations without foundation and was involved in questionable conduct. Appended to the memo are a letter from Clarence M. Pendleton, Chairman of the U.S. Commission on Civil Rights, and a statement by Professor Peter Mieszkowski, study evaluator, both defending Unicon's competence to conduct the study. (ETS)

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DATE March 5, 1986

REPLY TO ATTN OF OPP

SUBJECT School Desegregation Project

TO

J. Al Latham, Jr.
Staff Director

ED273706

This memo reports on findings of the Commission's investigation into the issues raised by Gary Orfield, former member of the advisory group to the Commission's School Desegregation Study. In his letter to Chairman Pendleton of October 25, 1985, and his testimony at the Commission meeting of December 10, 1985, Dr. Orfield laid out what he saw "as fundamental flaws in the Commission's largest research undertaking." The study is in fact one of the largest projects currently supported by the Commission and it is viewed as a highly important one. The charges raised by Orfield are serious. Moreover, they have been made in a highly public and inflammatory manner since the letter was distributed to the press in advance of receipt by the Commission. Orfield also sent notices to the superintendents of the school districts participating in the study advising them that the Commission's study "is neither competent nor balanced in its research approach" and suggesting that they withdraw their cooperation with the study.

In view of the extreme actions taken by Orfield, the Commissioners have called for a thorough investigation. This investigation is underway and has involved both outside consultants as well as Commission staff. Two widely known and respected social scientist--Professor Eric Hanushek and Professor Peter Mieszkowski--were asked to evaluate the study, focusing particularly on the quality of the data and the methodology, and the qualifications of Unicon, the current contractor. Their separate reports were presented to the Commissioners at the February 11, 1986 meeting. Both researchers concluded that the project is now in the hands of a highly competent research organization and promises to produce "the best data set ever available for understanding the cause and pattern of school desegregation."

(1) 025075

I have also conducted a review of the project, focusing more specifically on Dr. Orfield's charges and the conduct of the study from its inception. In addition, the General Counsel's office is looking at the legal aspects of the situation. Of course it should be made clear that my memo does not examine these legal issues nor is it based on an analysis of the legal obligations of any of the parties.

This memo reports on the results of my investigation. I have examined the pertinent documents involved in the study: the original proposal; the formal Request for Proposals (RFP) issued by the Commission; the proposal written by SDC; and the progress reports of SDC and Unicon, the company who on novation is completing the study. I have also visited Unicon and have examined the various aspects of the research as it is currently being conducted, and I have spoken with all of the original members of the project's advisory group, as well as with Doug Longshore, SDC's first principal investigator.

In the following discussion I first summarize my findings with respect to Orfield's charges. I then review the history of the project, including a social science evaluation of SDC's performance. The remainder of the memo addresses Orfield's major criticisms in more detail.

SUMMARY OF FINDINGS

This section addresses Gary Orfield's major charges about the study:

1. Orfield's charge (letter, p. 6; testimony, pp. 1-3) that the focus of the project had narrowed and no longer bears any relation to the original study proposed by the Commission is simply not true. The proposal called for a study evaluating the effects of various types of school desegregation plans on the extent of integration. This remains the central focus of the research.

2. "White flight" is not the main concern of the study as Orfield asserts (letter, pp. 2, 5; testimony, p. 8). It enters the analysis only as one of several factors that might influence the effectiveness of desegregation plans.

3. The accusation that the research question shows "no concern for the effects of desegregation on black and Hispanic children" (letter, p. 2) presumably means that the Commission's study does not address the effects of integration on student achievement and other outcomes. It is only budgetary considerations, however, that stand in the way of expanding the research to this undeniably important issue. It is certainly not lack of concern.

4. Orfield alleges that important aspects of the research were abandoned without consultation with the advisory group (letter, p. 4; testimony, pp. 3, 8). As an example he alleges that the collection of information on desegregation plans from court records was dropped. This is untrue. The collection of legal plan data was not abandoned and in fact represents a major component of the research now being conducted at Unicon.

   With respect to other data that Orfield charges were abandoned without the advice of the group, it should be noted that at their first meeting, the advisory group had agreed to abandon both the collection of within-classroom enrollment data by race and the collection of data on school resources in exchange for more than doubling the number of school districts in the sample. (See memo from Jean Wellisch, October 5, 1985 attached). Orfield participated in this advisory group meeting. It is true that SDC later on asked to be released from further collection of "community climate" data citing the unexpectedly high costs of doing so and the lack of enthusiasm for these data expressed by the advisory group in their first meeting. (See Wellisch, letter, March 25, 1985) The advisory group did not argue for reinstating these data at their second meeting in August, 1985.

5. Orfield expresses dismay that Doug Longshore and other SDC staff were no longer with the study and that Christine Rossell had been "pushed aside". The inference is that the Commission is at fault. However, the folding of the SDC social science wing and the resignation of key SDC staff can in no way be blamed on the Commission, nor can the tension that evidently arose between Christine Rossell and SDC.

6. Orfield makes numerous statements about the shaky status of the data and the inability of Unicon to improve the situation (letter, pp. 4, 5; testimony, pp. 2, 5, 6). Ironically, it was the careful examination of the data by Unicon that brought to light the weaknesses in the data collected by SDC; and it was only because it was pointed out to him by Unicon at the August meeting of the advisory group that Orfield knew anything about the data situation. Since Unicon's strategy for constructing acceptable data bases had not yet been worked out, it is odd that Orfield should be so sure that Unicon would fail at this task. Orfield's forecast has turned out to be wrong. Professor Hanushek in his review of the project concluded that Unicon's efforts "promise to produce the best data set ever available for understanding the course and pattern of school desegregation".

7. Orfield's testimony on December 10, lists several items that he regards as flaws in the study. He did not check with Dr. Welch before making these assertions. Had he done so he would have found that the court record data, not survey data were to be used for the plan information; that the study covers the period 1967-1985 and therefore covers the period of newer types of school plans; that some metropolitan level data will be examined; and that missing enrollment data would never be filled in with "statistical projections" but would be collected directly.

8. A theme running through Orfield's testimony is that he was not treated fairly, while other members of the advisory group were consulted on major matters (letter, p. 3; testimony, pp. 1, 4-6). The fact of the matter is that communication was almost eliminated early in the project after Orfield demanded ground rules for the advisory group that discouraged any direct contact between the advisers and the contractor.

Max Green says that he did on occasion chat with Michael Ross, but these conversations had no effect on the course of the project. Orfield's suspicions to the contrary, it is totally untrue that Max Green was the conduit for Ross to circumvent the ground rules and influence SDC. It also seems to be the case that Orfield's lack of influence on the project stems from his own disinterest. He did not call Max Green to check on the progress of data collection. He did not correspond w th SDC or respond to their requests for

comments (e.g., SDC's request on Rossell's literature review). Later on, he did not communicate with Unicon or respond to Welch's request for assistance on school plan data. (See Welch letter, January 6, 1986, attached.) He did become concerned when he learned that the contract had been novated to Unicon. However, Max Green made every effort to meet these concerns by calling an extra meeting of the advisory group to meet with Unicon.

9. It is not true that novation of the contract to Unicon was the result of pressure from David Armor and Michael Ross (letter, p. 4, testimony, p. 4). Finis Welch was well known to Max Green because he served as a member of the advisory group to another Commission project. Welch was also well known to Ken Maurer and other SDC staff. Given the outstanding reputation of Welch and Unicon, the geographic proximity of Unicon and SDC, and the need for a speedy and smooth transition, it is hardly surprising that Unicon was chosen to continue the study.

10. It is not true that Max Green pressed Unicon to hire Michael Ross as a consultant on school plans (letter, p. 4, testimony, p. 4). At the second advisory board meeting Christine Rossell commented that she and Ross were the best possibilities for consulting about school plans and that since she was too busy, Unicon ought to think seriously about hiring Michael. (This conversation evidently occurred after Orfield had left the meeting, departing early to catch a plane.) (see Welch letter, p. 4). Ross was hired by Unicon, but after Max Green left the Commission. Because of the complexity of the job of coding school plans, the Commission is moving to add consultants to this task. Rossell now has the time and has agreed to help. If necessary, others will be added.

11. Orfield's letter and testimony are replete with innuendos and direct charges that call into question the competence of Unicon and of several key individuals related to the project:

The assertion that Finis Welch and Unicon lack the necessary professional skills for conducting this research is particularly preposterous. It is also intemperate, since Orfield himself admits that he had never heard of Unicon before and offers no evidence that he has read Welch's published research and yet is critical of his research capabilities. Since Orfield

himself has no experience analyzing large data sets with econometric techniques, it is odd that he should be so sure that Unicon is unfit. Welch's credentials are in fact outstanding. Professors Hanushek and Mieszkowzki both reported on the high quality and non-partisan nature of his research and his high standing in the academic community. Welch is a professor of economics at UCLA, a member of the National Academy of Education, and a Fellow of the Econometric Society.

Orfield had no basis for denigrating the ability of Fred Dong or asserting that he is the "real research manager" at Unicon (letter, p. 4). It would be apparent to anyone knowledgeable about data collection and data cleaning that Dong is outstanding at these tasks. I spent two days with him at Unicon and found this to be the case, and Professor Mieszkowski makes the same point (Mieszkowski report, p. 3). It is also totally incorrect to claim that anyone but Finis Welch is the research manager.

The innuendo that Christopher Jencks is a poor choice for the advisory group is also regrettable. (See Orfield's remark that Jencks is "not a leading current researcher on desegregation. His major work was a secondary analysis of data collected in the pre-busing period of the mid sixties..."; testimony, p. 5). Jencks is, however, an eminent social scientist in the field of education, among other areas, with a world-wide reputation. He is certainly competent to evaluate and offer valuable comments on this project since he has throughout his career analyzed data on similar subjects. Orfield also seems to be contradicting himself. In his letter (pp. 2, 3) he makes a point that SDC in their proposal had recommended against putting experts "known for their white flight research" on the advisory group". They cite: "e.g. James Coleman, David Armor, Thomas Pettigrew, Karl Taeuber, Reynolds Farley". SDC recommended experts who have worked on broader substantive analytical issues. Dr. Jencks would certainly fit that description.

Upon examining Dr. Orfield's charges and the facts I have gathered concerning those charges, I can only conclude that he made accusations without foundation and was involved in questionable conduct, such as his letter advising the school

superintendents to withdraw cooperation with the study. (Moreover his use of stationery with the letterhead of the University of Chicago to write these letters suggests that the University supports his actions, which is not the case.)

Concerning the professional ethics of the matter, the Dean of the School of Social Work of Loyola University of Chicago wrote to me, "If you have further exchanges with him (Orfield), point out that his ad nauseam attacks on other researchers violate all the canons of professional behavior. He would not understand, but a few in the audience might". (see letter of Charles O'Reilly, attached).

HISTORY OF THE PROJECT

The 1973 Desegregation Study

The Commission's current school desegregation project is by no means its first research effort on this subject. In 1973, the Commission embarked on a design for a massive research project on desegregation which at the time stirred up a storm of controversy. 1/ The project was conceived by Gary Orfield while he was a scholar-in-residence at the Commission.

The contract to design the project was awarded to RAND which then prepared a design for a six year study costing $9 million to $15 million ($20 to $33 million in today's dollars). The study was to include a vast collection of data including test scores of students, characteristics of students and teachers, classroom data, and interviews with school and community leaders; and it was to analyze the effects of desegregation as well as other educational and policy issues.

After considerable debate (including friction between Orfield and Commission staff) and consultation with numerous experts and policy makers, the project was discontinued. RAND was paid $157,000 for their design (about $350,000 in today's dollars). Consultant expenditures were $15,000 ($33,000 in today's dollars) and staff resources were considerable.

1/ See the two articles appearing in School Review, Vol. 87, May 1979 No. 3: Eugene S. Mornell, "Social Science and Social Policy: Epistemology and Values in Contemporary Research" and Gary Orfield, "The Politics of Research Design: A Reply to Mornell."

The 1984 Desegregation Project

The current Commission's project on school desegregation involves a much more modest effort than the ill-fated 1973 project. On April 30, 1984, the Commission issued an RFP for "a report on the effectiveness of various school desegregation plans in reducing student racial and ethnic isolation, between and within public schools". The Commission's RFP essentially followed the proposal that had been submitted to the Commission.

System Development Corporation (SDC) submitted the winning bid among 14 contending proposals, edging out, for example, a proposal submitted by Dr. David Armor and Professor James Coleman. The co-principal investigators for SDC were to have been Dr. Douglas Longshore from SDC and Dr. Christine Rossell, an eminent researcher on school desegregation. The contract with SDC was signed on August 15, 1984. An advisory group of consultants was set up consisting of David Armor, a well-known researcher in the field of education and school desegregation; Thomas Cook, a professor of psychology at Northwestern; Gary Orfield, a professor of political science at the University of Chicago and a school desegregation expert; Nathan Kantrowitz, a demographer; and Michael Ross, an expert on school desegregation. Max Green was the Commission's project officer for the study.

Over the next few months SDC began the main research tasks: a legal search for school plan data; a newspaper search for "social climate" data at the University of Massachusetts in Amherst; development of plans for the 40 site visits to school districts; and a mail survey to the school districts. In March, a draft of Christine Rossell's literature review was completed and sent to members of the advisory group for comments.

Progress during this period was undoubtedly affected by the loss of a key researcher. On November 30, Dr. Douglas Longshore, the project director, left SDC and was replaced by Dr. Jean Wellisch, an experienced senior researcher at SDC. This major change was approved by the Commission which had no reason to believe that Dr. Wellisch could not ably fulfill the role.

In the spring, it became clear that the SDC social science wing, having announced plans to disband, was losing more staff. Ken Maurer, the chief econometrician on the SDC project left SDC at the end of March 1985. SDC was having increasing difficulty executing the contract. At this stage, conversations began between Max Green and SDC which led to the agreement to novate the contract to Unicon.

Transfer of the Contract to Unicon

The Agency's decision to transfer the project to Unicon was based on several considerations. First, Finis Welch, who was to direct the project for Unicon, is an eminent economist, noted for studies in the economics of education and with a reputation for high quality, impartial analysis. Unicon's specialty is the analysis of large data bases such as those featured in the Commission's study. In addition, Unicon is only a few miles away from SDC, a factor facilitating the transfer. The fact that Unicon was able and ready to begin the work was also important since further delays in the project were viewed as clearly undesirable.

At the time of transfer, Unicon and the Agency believed that the basic data on school enrollments and the parameters of the school desegregation plans were virtually ready for analysis. SDC itself, in drawing up the tasks to be completed by Unicon after the transfer (memo to Dick Morse from Jean Wellisch, May 1985) indicated that the only tasks remaining to be completed were the data analysis, a meeting with the advisory group, and the final report.

Unicon took over the contract on July 1, 1985. After careful examination of the data, Unicon reported to Commission staff that the data files were in very poor condition. The enrollment data were in several pieces and not in consistent form. Grade level data were missing from the information gathered from school districts. School identities required for the construction of longitudinal files were missing. There were cases of duplicate counting of enrollments as well as omissions of schools. Moreover, the enrollment data from the school questionnaires were for the most part too incomplete to be useful. Unicon was essentially in a situation where the school data compilation had to be started anew. A meeting of the advisory group was held in August 1985, at which these data issues were discussed.

In the course of the research it also became clear that the SDC data on desegregation plans were inadequate. Ultimately Unicon sought alternative means of collecting the plan data and, together with Dr. Michael Ross who agreed to act as a consultant on school plans, they have been assembling a master bibliography of actual school plans, court documents relating to the plans, and published and unpublished reports and articles concerning the plans. The documents are being used to code the relevant plan characteristics for the 125 school districts in the sample.

To avoid a conflict of interest, Dr. Ross resigned from the advisory group. Two eminent social scientists have since joined the group: Dr. Christine Rossell of Boston University (previously co-principal investigator), and Dr. Christopher Jencks of Northwestern University (currently on leave at Princeton).

In the fall of 1985 Unicon notified Max Green that their funding could not possibly cover the costs of the items agreed to in the contract, since the data turned over to them by SDC were not ready for analysis. Indeed, as noted, it had become necessary to start the data collection all over to produce consistent and usable files.

It was agreed that Unicon would be given an additional sum of approximately $75,000 to cover the costs associated with: (1) the completion of the enrollment data files; (2) the preparation of summary statistics on measures of segregation; (3) the full compilation of school plan parameters; and (4) the development of relevant social and economic variables affecting enrollments, taken from census data. There has been some delay caused by the Orfield charges and the preparation of information for the Commission's investigation. However, I believe that the data collection and organization efforts are proceeding well, a judgement that has also been reached by Professors Hanushek and Mieszkowski, for continuation of the research.

The one question raised by all this is whether the Agency could have caught the data problems sooner. It is apparent from inspection of the data that it would have been difficult for the Agency or the advisory group to detect the data problems unless staff had devoted considerable computer and personnel resources to the task. It took some time before Unicon fully realized the extent of the problem. But that was because Unicon is extremely meticulous with data and sought to match each school's data longitudinally.

Gary Orfield was right to be concerned with the data at the time of the second advisory group meeting in August 1985. However, he was wrong in blaming Unicon for the situation. The problems had existed at the time of transmission of the study to Unicon, and Unicorn subsequently uncovered them and called them to the attention of the Agency and the advisory group at their second meeting.

THE PURPOSE OF THE STUDY

In his letter and testimony Orfield is highly critical of the study's purpose, describing it as "from the beginning ...focussed on a very limited set of desegregation research questions, showing no concern for the effects of desegregation on black and Hispanic children but only on the rate of 'white flight'" (letter, p. 2).

It is true that this study never was meant to be a study of the effects of desegregation on student achievement or other outcomes. However, this was not because of lack of concern for these issues. No one would deny that it would be valuable to know more about the relation between integration and student outcomes. However, the cost of such a study would be enormous. (As noted above, the RAND design for such a study was estimated to cost the Commission $9 million - $15 million back in 1974.) Given a limited budget it is sensible to start at the beginning and to ask the basic questions, how much integration has actually occurred since the late 1960's, and what has been the effect on the observed integration of the different types of desegregation plans. This was the central focus of the Commission's 1984 proposal and of the RFP issued by the Commission, and it remains the central question of the current research.

It should be noted that the study's purpose was well known to Gary Orfield before he agreed to serve on the advisory group. He had earlier agreed to be a consultant to the Armor-Coleman study, had it been funded, and was listed as such in their proposal to the Commission. His attack on the research focus reflects a sudden change of mind on his part.

It is also important to recognize that this is not a study of "white flight" per se. White flight enters into the analysis only as one of several factors that might influence the operation of desegregation plans. One obvious research problem is to distinguish white flight induced by such plans from the more general phenomenon of migration to the suburbs for reasons other than school desegregation.

The Commission's project calls for a study that has never been conducted on such a large scale before. The study calls for the collection of data on the racial composition of students by grade level and by school, for each of 125 school districts, over the period 1967 to the present. In itself this is an undertaking of major proportions, producing longitudinal data files at the individual school level. In addition, data on the relevant details and dates of the school desegregation plans implemented in each district (often, there are a sequence of plans) must be quantified, also covering the period from 1967

to the present. And census or other data must be obtained to enable analysis of the factors other than the desegregation plans that may have influenced the degree of integration and the levels of enrollment.

The research that the Commission proposed would make a major contribution to the state of knowledge on an issue of national importance. Orfield's assertion that "the Commission and the entire Reagan Administration have missed the opportunity to explore the school desegregation issues in which almost nothing has been done and path-breaking research is needed" suggests a lack of appreciation for the full scope of the study. The 12 subjects listed in his testimony as examples of these "critical needs" comprise a large research agenda that would undoubtedly be worthwhile. (In fact, had he asked, he would have discovered that one of the topics, the isolation of Hispanics, is scheduled to be researched by the Commission, and another topic, suburban schools, will be partially covered in this project.) Given budget constraints, one must set priorities, however, and the project at hand is basic and highly important.

THE NARROWING OF THE SCOPE OF THE PROJECT

Dr. Orfield cites as one of the main reasons for his resignation from the advisory group that "the study was subsequently drastically reduced in terms of data sources without consultation with the advisory committee."

It is true that the data to be collected were reduced in scope. However, some of the data Orfield claims were abandoned never were, and most of the data elements that were abandoned had the approval of the members of the advisory group at the very beginning of the project.

Contrary to Orfield's allegation, the search of court records to obtain detailed information on school desegregation plans was not abandoned. Indeed a large part of Unicon's efforts and expenditures are directed to searching court documents and coding the relevant plan details. The role of Michael Ross is to assist in this very phase of the analysis.

With respect to other aspects of the study, a memo from Jean Wellisch (attached) confirms conversations I have had with Max Green and clarifies the decisions taken at the first advisory group meeting, September 20-21, 1984, to reduce certain parts of the study and to expand others. The advisory group evidently strongly believed that SDC's plan to study only 40 school districts would produce an inadequate data sample.

Instead, they recommended that at least 100 districts be studied. (The data for the additional districts would be obtained from mail questionnaires and other means and not from site visits). Moreover, the sample was to be chosen in a different way than originally indicated. It was agreed that in exchange for this expansion in the data base, other data and study goals would be dropped. These items were: a) abandonment of data on within-classroom racial composition, and b) the assessment of school resources and changes in resources after the onset of desegregation. Such data were viewed as much too costly and time consuming to obtain. Based on conversations with members of the advisory group, they were in substantial agreement on dropping these two components of the study. (Also see memo from Jean Wellisch to Max Green, October 5, 1985.)

An issue was also raised at the first meeting about the difficulty of collecting data on social or community climate. This variable had been cited in the Commission's RFP as part of a list of possible contextual factors that could affect plan implementation. SDC asked to reduce expenses related to this variable by using the newspaper files at the University of Massachusetts rather than going to each site. The advisors, according to Wellisch, "were not hopeful that these data would be useful" in any event.

Subsequently, SDC requested that the search for community climate data be discontinued. (See attached letter from SDC to Max Green, March 1985.) The data collection turned out to be three times more expensive per district than anticipated and SDC felt that the information was of "doubtful importance" based on a reading of the literature and the low priority given to it by the advisory group. The Agency approved SDC's request. Dr. Orfield evidently felt more strongly than the majority of the advisory group about the importance of community climate information. However, at the August 1985 meeting of the advisory group no motion was passed by the advisory group (including Orfield) to restore community climate analysis to the study. Nor is there any record of inquiries made by him to Max Green or SDC concerning the collection of this material.

THE ROLE OF THE ADVISORY GROUP

The advisory group was set up as a group of consultants representing diverse opinions and technical skills who could advise the Commission and SDC on key aspects of the study. Only two meetings of the advisory group were scheduled to be conducted in the course of the study -- one at the beginning to discuss the sample selection and other issues related to the data collection; and the second after the data were collected, to discuss the research design for the econometric analysis. Thus, the advisory group is viewed as a group of valuable consultants, but not as managers of the study.

The advisers were initially free to speak with SDC, with Commission staff, and with each other, on matters of concern to them. However, at the first meeting of the advisory group Gary Orfield expressed much anxiety that certain members of the group were unduly influencing the course of the project by talking to SDC, to each other, and to Max Green. Doug Longshore tells me that David Armor did call him when he was at SDC and discussed methods of sample selection. He did not regard these calls as pressure to slant the study. Other members of the group did not contact SDC nearly as frequently. Gary Orfield made no effort to communicate his views to SDC or Max Green at this time.

To prevent what he perceived as the threat of too much power over the study by David Armor and Michael Ross, Orfield proposed a rule of conduct that was accepted by the group. This rule stipulated that no adviser was to communicate with SDC without informing all of the other advisers. This rule effectively seemed to end any active role of the advisory group in SDC's operation of the study. Therefore, the members of the advisory group could not be as effective as they might have been in detecting any flaws in the operation of the study.

THE ISSUE OF BIAS

One of Orfield's chief concerns is the possibility that the study will be biased; and his fear is that it will be slanted to show "white flight." The source of his concern is that he views Michael Ross as "anti-busing" and Ross is responsible for much of the coding of the school plan characteristics. He also believes that Ross would, perhaps unconsciously, change plan dates or other plan parameters to produce a finding of white flight. (Dr. Orfield imparted these views to me in a telephone conversation.)

While it is true that Michael Ross has presented evidence in court cases for the side opposing mandatory reassignment, there is no evidence to suggest that Ross has ever falsified data to win a case. Were he to do so in this instance, he would certainly lose credibility. Moreover, it would be difficult to bias the outcome in this case. There are 125 school districts and many schools in a district and the data span the period 1967-1985. Ross has no control over the enrollment data, which are being collected by Unicon, and he does not know the equations Dr. Welch will use to analyze the data. It is unlikely he could control the results sufficiently to show white flight when there is none. Christine Rossell concurs in this view. Econometric analysis of large data sets is a methodology that is not very compatible with the type of bias Orfield imagines. The case study type of research with which he is most familiar is much more susceptible to selection bias of the investigator.

Dr. Thomas Cook, one of the advisory group members, has suggested that Christine Rossell consult with the Commission on the school plan data. She is an acknowledged expert and is regarded as impartial. Dr. Rossell has consented to do this as she now has some time available. I feel this will enhance the study, since the plan data are highly complex. Other experts, such as attorneys who have been involved in desegregation cases, may also be consulted on the plan data. (This was a suggestion made to me by Gary Orfield.) The advisory group will also review the data.

Another reason the research will be impartially and carefully conducted is that the principal investigator, Dr. Finis Welch, is an honest researcher. Dr. Welch's research is published in leading professional journals and he has an outstanding reputation. Although Orfield has attempted to demean Dr. Welch's reputation, he has provided no evidence to show that Welch is an anti-busing zealot or that he has ever produced politically biased research results.

Perhaps the main safeguard to the credibility of the project is that the enrollment and plan data will be released to the public so that other researchers will have the opportunity to examine and to analyze the data. Any falsification of the data would become widely known. Unicon and Finis Welch or any other project participants would not risk their reputations to slant the Commission's study when such behavior would be readily detected.

June O'Neill

JUNE O'NEILL
Project Manager
School Desegregation Project

Attachments

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VIA FEDERAL EXPRESS

January 6, 1986

Clarence M. Pendleton, Chairman
U.S. Commission on Civil Rights
1121 Vermont Avenue, N.W.
Washington, D.C. 20425

Mr. Chairman and Members of the Commission:

I appreciate your invitation to respond to comments made by Gary Orfield at the December 10 Commission meeting regarding the status of the desegregation study and the ability of Unicon to conduct the research.

Let me say at the outset that an accusation of inexperience, naivete, and bias is a hard one for me to defend personally. My interests are too obvious. Therefore, I am in favor of the idea of an independent third-party review and hope the Commission proceeds with its plans to examine the project's status as it arrived following the novation and as it exists today.

I can assure you that all of the Unicon staff is doing its best on a project that we give top priority. I personally have been greatly offended both by the style and substance of Mr. Orfield's accusations to the press, to participating school districts, and to the Commission. His criterion for a suitable home for this research is very strange. He requires that the contractor be experienced in school desegregation research, and at the same time the contractor must have no opinion about possible effects of desegregation plans lest that opinion bias the research. I submit that an experienced analyst who has no opinions is one who has been unable to learn from his or her endeavors.

I divide my comments into three areas. First, there is the issue that Mr. Orfield has raised concerning my qualifications and the qualifications of my colleagues at Unicon. Second, there are issues of fact concerning the project's status at novation, the role of the Advisory Committee, and Mr. Orfield's participation *per se*. Finally, there is the question concerning the selection of Michael Ross and the role he is fulfilling as the primary consultant for collection and verification of the data that describe attributes of individual desegregation plans.

In many respects, I have been more amused than offended by Mr. Orfield's repetitive and slightly varied assertions that we are uneducated, inexperienced, are not social scientists or are not trained in a relevant social science. I confess, we are predominantly economists and that may make us appear as irrelevant to Mr. Orfield. Most, however, assume that economics is a social science. For example, the American Economic Association has a designated slot on the Board of Directors of

the Social Science Research Council (SSRC). I, myself, am a former director of SSRC.

I am also a member of the National Academy of Education. The Academy elects new members in recognition of their contributions, including research, to knowledge in the area of formal education. Previously, I have been approached by a search committee to inquire about my interest in becoming dean of the School of Education at Northwestern University where Thomas Cook, whom Mr. Orfield cites repeatedly in his comments, is employed. I have also been offered a tenured appointment in the School of Education at the University of Chicago where Mr. Orfield resides. The School of Education at the University of Chicago has employed economists at least since the 1950's. There are currently two economists on its staff and both are former colleagues of mine. The Dean of the Education School at UCLA (where I am employed in the Economics Department) is also an economist and a former colleague. Although Mr. Orfield seems not to agree, many do apparently view economics as relevant to the study of education. T.W. Schultz was awarded a Nobel Prize in economics for his studies of the role of human skills (formal education and on-the-job training) in economic development.

To do desegregation research, must one have done desegregation research? Mr. Orfield has repeatedly criticized our lack of experience. He also, in his testimony on December 10, described Christine Rossell's literature review in which she cites 140 books or articles. Fourteen of her citations are committee or commission documents that do not have named authors. Among the 125 that remain, there are 121 authors listed, although some of the papers have more than one author. Even so, of the 121 authors only 24 have two or more listings. It is clear that the vast majority of the desegregation literature has been produced by first-time authors.

In Mr. Orfield's opening comments before the Commission on December 10, he noted that skill and experience in analyzing data that are preprocessed for analysis is not the same thing as data preparation. He is right, of course. I object, however, to the implication that because we are good methodologists, we are necessarily bad at data development. More than any other comment, this reflects Mr. Orfield's lack of familiarity with a firm that he is willing to publicly condemn.

If anything characterizes my own research of over more than 20 years, it is my analysis of large data sets. The firms that I have founded, Unicon and its sister organization that Mr. Orfield mistakenly assumes is the parent company, Welch Associates, specialize in data analysis. Never in my career have I received a body of data that is clean and ready for estimation. There is always the painstaking, tedious process of cleaning, verifying, and editing where crucial decisions are made that determine the future course of the methodology. Mr. Orfield's assumption that these are separable activities illuminates his own lack of familiarity with applied statistics in general and with my work and the work of my colleagues in particular.

In his letter of resignation from the Advisory Committee, Mr. Orfield

criticizes the project for a lack of minority participation and then criticizes Fred Dong (who definitely is not a WASP) for only having an M.A. degree. Mr. Orfield characterizes Fred as the "real research manager." It is true that not all members of our staff hold doctoral degrees. It is also true that for many activities, the Ph.D.'s on our staff are not the most qualified.

Fred Dong is an outstanding analyst. His advanced schooling (after graduating magna cum laude from the University of Washington) was at Harvard in economics where he completed his course work and passed his comprehensive exams for the doctoral degree. After electing not to write his thesis at Harvard, Fred returned to the University of Washington and completed an M.B.A. He has worked for six years as a research analyst.

He is sufficiently skilled and experienced to be the "real research manager" on this project. However, he is not. I am. Fred manages data collection, cleaning, and organization. He will participate in and co-author any research report that is prepared.

That brings me to the second area I want to address. At the time of the contract novation, it was our understanding that the analytical data base would be completed by SDC and that our job would be restricted to incidental cleaning and editing, as well as the possible addition of census data as an independent measure of enrollment trends. We, therefore, began the standard review procedures we use prior to estimation. At that time, we became aware that the data describing individual desegregation plans were incomplete.

Our first action at that point was to contact Christine Rossell and invite her to consult, both to help bring us up to date and to make whatever suggestions she might about the data. Part of our concern was with the data describing school enrollments, and we understood that Christine had provided them to SDC. It was Christine's view that the plan data were especially problematical.

Later, when I discussed the project's status with Max Green, he suggested an Advisory Committee meeting. I thought it was a good idea. The meeting took place at the end of August at Unicon, about two months after novation. Prior to the meeting, Fred Dong had prepared summaries of survey responses of desegregation plans showing both nonresponse and partial response frequencies. A large part of the meeting focused on the issue of data quality.

One suggestion which I thought had unanimous consent was that we retain an expert consultant who could help collect and verify plan data. Another suggestion, which I made, was that the Advisory Committee get actively involved. The outcome was that I would send each member of the Advisory Committee two things. One was an outline of the content of the information that would be sufficient for an individual plan. The other was a list of participating districts.

Each member of the Advisory Committee was to review the outline of the plan summary and possibly suggest modifications. Secondly, each member

was to designate those districts for which he or she would be willing to serve as a reviewer of plan data. The idea was directed at the extensive accumulated knowledge on the Advisory Committee that could be utilized in building and verifying our data base.

Mr. Orfield and Mr. Cook left the meeting at 3:00 p.m. to catch a return flight to Chicago. After their exit, the conversation focused on selection of a plan expert. Christine Rossell said that in her opinion there were only two possibilities, and that since she was too busy, it left only Michael Ross. Her suggestion was that Ross resign from the Advisory Committee and become the project's consultant. Before Max Green left Unicon, but after the Advisory Committee had adjourned, I asked him whether he would be willing to inquire about Michael Ross' availability.

I think it is noteworthy that at the point of novation, Unicon received all of SDC's project files. We can find no record to suggest that Mr. Orfield attempted, at any time, to inquire about the project's status. He participated in an initial advisory committee meeting during the Fall of 1984. Prior to the August 1985 meeting, I had not met him. Neither before nor after that meeting did Mr. Orfield contact me to ask my opinion either about the project's status or about any of the data. The information he had was restricted to summaries prepared by Fred Dong to illustrate our own concern with the incompleteness of the data.

Given this, I find Mr. Orfield's criticism of our work ironic. Perhaps more ironic is the fact that after I mailed the draft protocol and list of participating districts, he did not respond. Later I wrote to him along with other members of the Advisory Committee to inform them of my decision to use Michael Ross as a consultant. In that letter, I asked Mr. Orfield whether he would complete and return the check list of participating districts. His implicit response was to resign and then to use the list I had sent him as a means of identifying districts to contact regarding his request that they refuse to participate.

The final point is only a note. Michael Ross is incredibly knowledgeable about desegregation plans. His participation as a consultant to the project is crucial. He, however, is not the primary analyst. The responsibility for conducting a fair and unbiased review of the effects of desegregation plans is mine. Mr. Orfield's attempts to impugn Michael Ross' value to the project is especially bothersome, given his own unwillingness to help.

I regret the necessity of this response but appreciate the opportunity to comment on the proceedings of last month's meeting.

Sincerely,

Finis Welch

Finis Welch

FW:dbk

Statement by Prof. Peter Mieszkowski
Rice University

February 11, 1986

Mr. Chairman, Members of the Commission on Civil Rights:

I have read the documents pertaining to the Study on the Effectiveness of Various School Desegregation Plans. These documents include: the original request for proposal, the proposal submitted by System Development Corporation (SDC), the OMB clearance package prepared by SDC, Dr. Orfield's letter of October 25, 1985 to the Commission, Dr. Orfield's testimony to the Commission dated December 10, 1980, and Dr. Welch's letter to the Commission of January 6, 1986.

In the company of Dr. June O'Neil, and Dr. Eric Hanushek I visited the Unicon office in Los Angeles on January 31, 1986 to talk to the staff and to obtain information on the progress of the project. On the same day we held a breakfast meeting with Dr. David Armour who informed us about the objectives of the study, gave us a historical review of the progress of the project and told us about the content of advisory committee meetings. The current status of the project and its history seems to me to be as follows.

Unicon is currently engaged in data collection. The company is gathering information on school enrollments by race, by school, by year, for the period 1967-1985 for 125 major school districts. This part of the job which involves data merging from OCR and Tauber/Wilson tapes is far along. Unicon is presently obtaining missing data and "cleaning the data" to account for data inconsistencies across time and related problems associated with changes in school names, the construction of new schools and the closing of old schools.

Dr. Michael Ross, presently employed as consultant by Unicon, is conducting legal research with information obtained from the Justice Department and the Office of Civil Rights and is obtaining information on the characteristics of school desegregation plans by district. This information will yield general facts, information on the timing of desegregation plans and school specific information such as which schools were paired and grouped in desegregation plans. One of the objectives is to collect information on how many students were affected by various features of different plans.

Information on the desegregation plans for about forty districts has been obtained by Dr. Ross. The collection of data on school plans will continue for the next two to three months. In addition to the information collected by Michael Ross, Unicon plans to obtain desegregation plan data directly from the school districts, and to use some of the information collected by SDC.

Dr. Orfield is correct that the first phase of the project carried out by SDC was not very successful. SDC was overly optimistic in how quickly they could collect the data and how much school plan data they would obtain from Dr. Christine Rosselle.

Early in the project's history, September 1984, the advisory committee recommended that its scope be scaled back, that information on school resources not be collected and that information on community attitudes data be deemphasized.

SDC did not gather information on desegregation plans by legal analysis,but instead relied on a mail questionnaire and on information obtained during a site visit to forty of the 125 districts. Both of these methods of information gathering presume that school officials are knowledgeable about the plans and could retrieve the specifics of the desegregation plans.

The design of the mail questionnaire was imperfect. For example, the number of students by school affected by various features of the desegregation plans could not be inferred. The questionnaire simply asked for the number of schools paired/clustered or the total number of students affected. Many of the returned questionnaires were partially answered, and many key school districts did not respond.

The quality of the answers to the questionnaires administered during the forty site visits was higher and some of this information can be utilized. However, as in the mail questionnaires, the site questionnaires did not request some school-specific information necessary to carry out a precise analysis of the effects of desegregation.

In early 1985, Douglas Longshore, project director for SDC, resigned to

accept another job when it appeared that SDC was getting out of social science research. Ken Mauer, a highly qualified econometrician employed by SDC, also resigned.

Unicon took over the project from SDC in the middle of 1985 and by late August 1985, the weaknesses of data collected by SDC were apparent. Unicon, after presenting different research options to the advisory group during the August meeting, was advised that it should emphasize the collection of missing data rather than attempting to carry out an analysis with incomplete, poor quality data.

In order to meet the key objective of the study, to analyze the effectiveness of different desegregation plans in reducing the isolation of minorities, it was fundamental for Unicon to obtain better information on desegregation plans. As Unicon did not have any experience with desegregation plans, they hired Michael Ross as a consultant to carry out the legal research neeeded to obtain plan information.

The success of attempts to analyze the differential impact of desegregation plan characteristics--characteristics such as whether white students are reassigned or black students are reassigned--depends critically on the quality of school plan information. For districts in which the desegregation plans were relatively simple and for which legal information is not very complete Unicon will utilize some SDC information. Also, SDC records identify the contact person at each school district, and Unicon will seek to obtain plan documents (rather than relying on the memories of the school officials) that will describe the desegregation plans.

Our visit to the Unicon offices confirmed a number of points made in Finis Welch's letter of January 6, 1986 to the Commission. There is absolutely no question that he, F. Welch, not Fred Dong, is the "real research manager" on the project. Fred Dong's role seems exactly as described in the letter. He manages data collection, cleaning and organization. Mr. Dong seems to be an extremely competent analyst. He is very intelligent, articulate, and well organized. The programmer and a data analyst who participated in the meeting also made very favorable impressions. Also Dr. John Raisian, the President of Unicon, is an excellent labor economist who has held academic positions and

high level government posts.

In terms of general knowledge and technical competence, Finis Welch is the ideal project manager for this study. He is experienced, wise, technically proficient, and a person of great integrity. Beginning with his thesis, in which he documented the historical discrimination against blacks in the allocation of public school resources, Finis Welch's research has centered on black-white earning differences, discrimination and affirmative action, and the effects of education on the distribution of income. He has an outstanding reputation among academic economists and has a long list of honors and distinctions. He has served on the editorial boards of six academic journals. He is a Fellow of the Econometric Society (a considerable honor), and has served on grants review panels at the National Institute of Education and the National Science Foundation.

Finis Welch is a non-partisan researcher. His reputation is primarily based on the assembling of large, high quality data sets and on careful analysis. Some of his work is on the effects of affirmative action on black-white earning differentials. He concludes that government programs have had little effect on the narrowing of racial income differences, but the general style of the research and its presentation shows that Dr. Welch's conclusions are based on hard empirical facts.

The research described in the original RFP, dated April 30, 1984, is an important project. It is more comprehensive than the existing literature in terms of the number of years covered and the detail of school information and the number of school districts. The general objective of the project is to determine the relative effectiveness of various desegregation plans in decreasing racial or ethnic isolation. It asks questions such as: Are voluntary plans more effective than mandatory plans in promoting desegregation? Do a combination of methods desegregate more effectively than any single method? What are the effects of plans that pair schools?

The study will produce the most comprehensive measures to date of desegregation for a representative set of school districts in different regions. The descriptive summary statistics will be valuable. Ideally what we would like to know is what portion of observed change in desegregation or exposure can

be attributed to the desegregation plans. Also, what would the patterns of desegregation be under alternative plans? Knowledge about the differential effects of different plans is exactly what is needed for the formulation of policy.

At this time Unicon has not prepared a specific analytical proposal. Finis Welch has considered a number of approaches and our discussions confirmed that Unicon's general research strategy is fully consistent with the Comission's general objective to emphasize desegregation and the most effective ways of decreasing racial isolation. The measurement or consideration of white flight, while necessarily a part of the study, is not its primary focus.

For example, one measure of desegregation is an exposure index of white to blacks and blacks to white. The effects of desegregation on the white exposure to blacks can include the whites who previously attended public schools in the desegregated districts but who have left the district. To calculate this exposure index white flight has to be estimated.

There are a number of reasons for believing that the study will <u>not</u> be biased.

Foremost, in my opinion, is the fact that Finis Welch is a careful, objective, non-partisan researcher. Michael Ross has been characterized as being partisan, but Ross' role in the project is to gather information from legal records. It is very difficult to see how his interpretation of the facts and dating of certain events can be significantly biased. Furthermore, the data will become available to the research community after Unicon completes its report, and Unicon plans to present summary tables of various plans. Consequently, any biases and misinterpretation in the characterizations of the plans can be quickly detected.

Any analysis can be biased or selective. Emphasis might be placed on certain regions, types of districts or certain periods. Also the analysis might emphasize or highlight certain results, such as white flight, rather than the more general issues of trends in desegregation. But again the sampling biases, if they occur, can be controlled and corrected by placing the data in the public domain. Also Unicon has its reputation for objectivity to consider. It

makes very little sense for this firm to present a biased or partial set of conclusions if it knows that its results and data sources will be examined by many partisan readers. The fact that school desegregation research has been controversial in the past results in a built-in protection against bias. Any major new study will be very carefully scrutinized. Also the large sample of districts and schools and the statistical methodology minimizes possible biases. The analysis will not be a case study involving a historical narrative. Instead the 125 districts are analyzed as a sample over different points in time. Measures of desegregation will be explained by the characteristics of school plans and other variables.

Apart from choice of sample, the analyst might bias his results by choosing a particular specification of the relationship, by leaving out certain factors, or by introducing biases in interpretation. But all of these biases can be detected and modified by appropriate changes when the original study is replicated and extended by other researchers. It is much more difficult to question the biases in a case study approach without obtaining independent direct knowledge on the complete set of historical facts. In an econometric study any result can be questioned by someone who has access to the data file.

I am convinced of the value of the study. I believe that it will be carefully and objectively done by a competent research group. Therefore I recommend the following.

First, that Unicon be permitted and encouraged to complete the collection and processing of enrollment and school plan data over the next three months.

Second, that upon completion of the data collection, Unicon be the primary analyst of the data and that it complete the original assignment contracted with SDC, which was to analyze the effectiveness of various school desegregation plans in reducing student racial and ethnic isolation between public schools. I make this recommendation while recognizing that Unicon has had to devote all of its energies to data collection and processing and that additional funds will have to be allocated to Unicon to carry out the analytical portion of the projection.

Third, I recommend that Unicon be asked to complete the report within a

relatively short period after the completion of the data collection. This recommendation is made to expedite the public release of the data to other interested researchers.

As the successful completion of the project depends in large measure on the collection of school plan information, I recommend that Dr. O'Neill of the Commission stay in close contact with Unicon on the progress of this part of the data collection.

Finally, I recommend that during the next few months Unicon continue tabulating information on trends in desegregation--some interesting tabulations were presented to us--and that it develop a concrete analytical plan. Such a plan would facilitate discussions wtih members of the advisory committee as well as the quick completion of the analytical phase of the project.

The review of this project by Dr. Eric Hanushek and myself was percipitated by Dr. Orfield's resignation from the advisory committee and by his letter to the Commission. I believe that he was correct in being concerned about the progress of the study through April 1985 and the poor condition of the school plan data at that time. But surely this poor performance should be attributed to SDC, not to Unicon. Dr. Orfield took no account of the ability of Unicon and Michael Ross to collect the missing school plan data. Also, contrary to the implications of Dr. Orfield's letter, Finis Welch is a widely respected, experienced principal investigator without strong vested interests in the results. Unicon's lack of experience in work with schools and school data is made up for by its broad experience in work with large data sets and by Finis Welch's broad research experience in working on issues of education, discrimination, and affirmative action.